

House File 2358 - Introduced

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BY CHAMBERS, SWEENEY,
KAUFMANN, and GRASSLEY

A BILL FOR

1 An Act relating to the operations, funding, and administration
2 of the state board of regents and of the institutions of
3 higher education it governs.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 11.51 Waste reduction task force
2 — regents board office and regents institutions of higher
3 education.

4 1. There is established a waste reduction task force
5 composed of nine members to identify examples of inefficiency
6 and waste in the administration of the office of the board
7 of regents, the committees and administrative offices under
8 the board created pursuant to section 262.12, and of the
9 regents universities. The task force shall be located for
10 administrative purposes within the office of the auditor of
11 state. The auditor of state shall provide office space, staff
12 assistance, and necessary supplies and equipment for the task
13 force. The auditor of state shall budget moneys to pay the
14 expenses of the task force, including the actual expenses of
15 the auditor of state incurred while engaged in the performance
16 of official task force duties. In performing its functions,
17 the task force is performing a public function on behalf of the
18 state and is a public instrumentality of the state.

19 2. *a.* Membership of the task force shall include the
20 auditor of state, two members appointed by the governor subject
21 to confirmation by the senate, two members appointed by the
22 auditor, and four legislative members. The legislative members
23 are two state senators, one appointed by the president of the
24 senate after consultation with the majority leader of the
25 senate, and one appointed by the minority leader of the senate
26 from their respective parties; and two state representatives,
27 one appointed by the speaker of the house of representatives
28 and one appointed by the minority leader of the house of
29 representatives from their respective parties.

30 *b.* The members appointed by the governor shall possess
31 experience and expertise in the field of economics.

32 *c.* The members shall be appointed to three-year staggered
33 terms and the terms shall commence and end as provided
34 by section 69.19. If a vacancy occurs, a successor shall
35 be appointed in the same manner and subject to the same

1 qualifications as the original appointment to serve the
2 unexpired term.

3 3. The chairperson of the task force shall be the auditor
4 of state. A majority of the task force constitutes a quorum.
5 The task force shall meet at least four times each year and may
6 meet at the call of the chairperson.

7 4. The task force shall examine all financial affairs
8 of the state board of regents and the institutions of higher
9 education governed by the state board, as well as the board
10 office and institutions' programs, and shall identify examples
11 of inefficiency and waste in the administration of the board
12 office and of the regents universities. The task force shall
13 have access to all state board and institution records. The
14 task force shall submit its findings and recommendations in a
15 report to the general assembly, the governor, and the state
16 board of regents by December 1 annually.

17 5. The members of the commission shall receive no
18 compensation but may be reimbursed for actual expenses incurred
19 while engaged in the performance of official duties.

20 Sec. 2. Section 262.9, subsection 19, paragraph a, Code
21 Supplement 2009, is amended to read as follows:

22 a. Not less than thirty days prior to action by the board
23 on any proposal to increase tuition, fees, or charges at one
24 or more of the institutions of higher education under its
25 control, schedule and conduct at least three public hearings
26 on the proposed increase in different geographic regions of
27 the state, and send written notification of the amount of the
28 proposed increase including a copy of the proposed tuition
29 increase docket memorandum prepared for its consideration to
30 the presiding officers of the student government organization
31 of the affected institutions. The final decision on an
32 increase in tuition or mandatory fees charged to all students
33 at an institution for a fiscal year shall be made at a regular
34 meeting and shall be reflected in a final docket memorandum
35 that states the estimated total cost of attending each of the

1 institutions of higher education under the board's control.
2 The regular meeting shall be held in Ames, Cedar Falls, or
3 Iowa City and shall not be held during a period in which
4 classes have been suspended for university holiday or break.
5 A proposed tuition increase shall be limited to an amount
6 equivalent to the increase in the most recent higher education
7 price index issued by the nationally recognized nonprofit
8 investment manager that in 2005 assumed responsibility for
9 maintaining the higher education price index. The state board
10 shall not increase tuition or mandatory fees in response to
11 action taken by the governor to implement uniform reductions in
12 appropriations pursuant to section 8.31.

13 Sec. 3. Section 262.9, subsection 35, paragraph f, Code
14 Supplement 2009, is amended to read as follows:

15 f. The contracted salaries, including but not limited to
16 ~~bonus wages and~~ benefits, including but not limited to annuity
17 payments or any other benefit covered using state funds of any
18 kind for administrators of the institutions governed by the
19 board.

20 Sec. 4. Section 262.9, Code Supplement 2009, is amended by
21 adding the following new subsections:

22 NEW SUBSECTION. 36. Direct the president of each
23 institution of higher education governed by the board
24 to develop a biennial comprehensive plan with benchmarks
25 on measures to reduce tuition and mandatory fees, reduce
26 administrative costs, and attain higher graduation rates.

27 NEW SUBSECTION. 37. Establish a tuition reduction fund
28 composed of an amount equal to five percent of any increase
29 in tuition and mandatory fees collected during years in which
30 the state board approves a tuition or fee increase, any money
31 appropriated by the general assembly for purposes of tuition
32 or fee reduction, moneys received by the board office or the
33 institutions of higher education governed by the state board
34 resulting from fines, lawsuits, contributions, and of any other
35 moneys available to and obtained or accepted by the state board

1 from the federal government or private sources for placement
2 in the fund.

3 NEW SUBSECTION. 38. Adopt rules establishing that
4 presidents of the institutions of higher education governed by
5 the state board shall not receive bonus wages.

6 NEW SUBSECTION. 39. Adopt rules establishing that all
7 professors employed by an institution of higher education
8 governed by the state board are required to teach one or more
9 courses during each fiscal year of employment except during a
10 period in which the professor was granted a leave of absence by
11 the board in accordance with subsection 14.

12 Sec. 5. Section 262.25, Code 2009, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 4A. The number of professors who are
15 teaching courses and an analysis comparing the number of hours
16 tenured professors teach in the classroom compared to the
17 number of hours teaching assistants teach in the classroom.

18 Sec. 6. REGENTS UNIVERSITY LEAVE LIMITATION — FISCAL YEAR
19 2011-2012. For the fiscal year beginning July 1, 2011, and
20 ending June 30, 2012, the state board of regents shall limit
21 the number of leaves of absence granted pursuant to section
22 262.9, subsection 14, to not more than the equivalent of 3.7
23 percent of the faculty members employed by the institution on
24 September 1, 2010.

25 EXPLANATION

26 This bill relates to the state board of regents and the
27 universities it governs by establishing a waste reduction task
28 force in the auditor of state's office to identify examples
29 of inefficiency and waste in the administration of the board
30 of regents office and of the regents universities, and making
31 numerous changes related to teaching and increases in tuition
32 and fees.

33 The nine-member task force is located for administrative
34 purposes within the office of the auditor of state. Members
35 do not receive compensation, but the auditor of state must

1 budget moneys to pay the expenses of the task force, including
2 the actual expenses incurred by the state auditor while
3 engaged in the performance of official task force duties.
4 Membership of the task force includes the auditor of state,
5 two members appointed by the governor subject to confirmation
6 by the senate, two members appointed by the auditor, and four
7 legislative members. Members appointed by the governor must
8 possess experience and expertise in the field of economics.
9 The task force meets four times each year and may meet at
10 the call of the the state auditor, who is designated as the
11 chairperson of the task force.

12 The task force shall examine all financial affairs of the
13 state board of regents, its universities, and their programs,
14 and shall have access to all of the records of the state board
15 and its universities. The task force must submit its findings
16 and recommendations in a report to the general assembly,
17 the governor, and the state board of regents by December 1
18 annually.

19 The state board of regents must direct the president of
20 each university to develop a biennial comprehensive plan with
21 benchmarks on measures to reduce tuition and mandatory fees,
22 reduce administrative costs, and attain higher graduation
23 rates; establish a tuition reduction fund composed of five
24 percent of any increase in tuition and mandatory fees collected
25 during years in which the state board approves a tuition or
26 fee increase, moneys appropriated by the general assembly
27 for purposes of tuition or fee reduction, moneys received by
28 the board office or the universities resulting from fines,
29 lawsuits, contributions, and of any other moneys available to
30 and obtained or accepted by the state board from the federal
31 government or private sources for placement in the fund; adopt
32 rules establishing that presidents of the institutions of
33 higher education governed by the state board shall not receive
34 bonus wages; and adopt rules establishing that all professors
35 will teach one or more courses during each fiscal year of

1 employment except during a period in which the professor was
2 granted a leave of absence by the board. The bill limits the
3 state board to granting leaves of absence for the 2011-2012
4 fiscal year to not more than 3.7 percent of faculty members
5 employed by a university.

6 In addition, not less than 30 days prior to action by the
7 board on any proposal to increase tuition, fees, or charges at
8 the universities, the state board must schedule and conduct
9 at least three public hearings on the proposed increase in
10 different geographic regions of the state. A proposed tuition
11 increase is limited to an amount equivalent to the increase
12 in the most recent higher education price index issued by
13 the commonfund institute, a nationally recognized nonprofit
14 investment manager that has responsibility for maintaining the
15 index. The state board is prohibited from increasing tuition
16 or mandatory fees in response to a governor's across-the-board
17 cut in appropriations.

18 The secretarial officer at each university must report
19 to the state board the number of professors who are actually
20 teaching courses and provide an analysis comparing the number
21 of hours tenured professors teach in the classroom compared to
22 the number of hours teaching assistants teach in the classroom.